

ENTERED

April 29, 2025

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

LOUIS HAYES,

Plaintiff,

V.

PERCY MILLER, *et al.*,

Defendants.

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CIVIL ACTION NO. 3:08-cv-35

**ORDER ADOPTING MAGISTRATE JUDGE'S
MEMORANDUM AND RECOMMENDATION**

On March 11, 2025, a Motion for Reconsideration (Dkt. 85) was referred to United States Magistrate Judge Andrew M. Edison under 28 U.S.C. § 636(b)(3). Dkt. 90. Judge Edison filed a memorandum and recommendation on April 11, 2025, recommending the motion be granted. Dkt. 94.


No objections have been filed to the memorandum and recommendation. Accordingly, the court reviews it for plain error on the face of the record. 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b)(3).

Based on the pleadings, the record, and the applicable law, the court finds that there is no plain error apparent from the face of the record. Accordingly:

- (1) Judge Edison's memorandum and recommendation (Dkt. 94) is approved and adopted in its entirety as the holding of the court;
- (2) The Motion for Reconsideration (Dkt. 85) is granted;
- (3) The Receiver is no longer authorized to serve Percy Miller via Paul Grinke or Ben Crump Law, and any prior attempts at service via this method are void;

- (4) The court's January 27, 2025 Order (Dkt. 84) is withdrawn; and
- (5) The Motion to Compel (Dkt. 83) is denied as moot.

Signed on Galveston Island this 29th day of April, 2025.



JEFFREY VINCENT BROWN
UNITED STATES DISTRICT JUDGE